

**Commission on Peace Officer Standards and Training**

1601 Alhambra Blvd
Sacramento, CA 95816-7083
www.post.ca.gov

Date: November 11, 2005

Bulletin: No. 2005-18

Subject: **Notice of Proposed Regulatory Action – Obsolete Reimbursement Language in Regulations 1001, 1015, 1020, and 1021 and Procedure E-4**

The Commission has approved a proposal to amend Commission Regulations 1015 and delete Commission Regulations 1020, and 1021 to remove obsolete regulation language related to reimbursement for satellite antenna systems and interactive videodisc (IVD) delivery systems.

The following information regarding the proposed regulatory action is located on the POST website at www.post.ca.gov/RegulationNotices/RegulationNotices.asp:

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons.

No public hearing is scheduled. Pursuant to Government Code Section 11346.8, any interested persons or duly authorized representatives may request that POST hold a public hearing. POST must receive the written request for a public hearing no later than 15 days prior to the close of the public comment period.

Pursuant to provisions in the Administrative Procedure Act, the Commission invites written input on this proposal. POST must receive written comments related to the proposed actions no later than December 26, 2005. Information about providing written comments appears in the attached noticed under “Public Comment.”

Please direct any questions about the proposed text, subject matter, or statement of reasons to Patricia Cassidy at 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by email at Pat.Cassidy@post.ca.gov, or by telephone at 916.227.4847. The back-up contact person for this proposal is Paul Harman; he may be reached by email at Paul.Harman@post.ca.gov, or by telephone at 916.227.0539.

KENNETH J. O'BRIEN
Executive Director

Attachment

NOTICE OF PROPOSED REGULATORY ACTION**Obsolete Reimbursement Language in Regulations 1001, 1015, 1020, and 1021 and Procedure E-4**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations. This proposal is made pursuant to the authority vested by Penal Code §13503 - powers of the Commission on POST, and §13506 - Commission on POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code §13503 (e) - Commission on POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses, §13523 – Commission on POST authority to reimburse for training expenses of full-time regularly paid employees, from cities, counties, or districts.

Informative Digest/Policy Statement Overview – and the effect on law enforcement

Since 1988, POST has experimented with presenting training by satellite broadcast. This training delivery method has great potential for significantly reducing travel costs associated with the training of California law enforcement agency personnel. Realization of cost savings, however, was limited by the fact that few law enforcement agencies owned a Steerable C/Ku Band Television Receive Only Satellite Ground Terminal needed to receive the satellite broadcasts. POST also developed interactive videodisc (IVD) courseware that was suitable for presentation of training right at the agency site, making it more convenient and cost effective than the traditional way of presenting this training. But like satellite antennas, IVD systems had been installed at just a few agencies. Therefore, the potential to reduce the costs of travel and time associated with training employees via traditional, off-site classroom methods was limited.

In 1993, the Commission amended Regulation 1015 and adopted Regulations 1020 and 1021. These changes allowed POST Reimbursement Program agency to be reimbursed for the purchase of satellite antenna systems and IVD delivery systems for training full-time regularly paid law enforcement employees. Satellite antenna systems allowed POST monthly “telecourses” to be delivered anywhere in the state via the California POST Television Network (CPTN) broadcast satellite video programs. IVD delivery systems allowed POST agencies to use POST-provided IVD courseware (i.e., Law Enforcement Driver Training, First Aid/CPR) for training.

The Commission’s *satellite broadcast* television network (CPTN) proved to be a success in distributing telecourse training to more than 500 sites statewide on a monthly basis. However, over time, the CPTN satellite system became obsolete as a delivery mechanism for training. The network’s original analog equipment (large dish antenna and receiver/decoder) aged and was no longer reliable for down linking video feeds. The expense of satellite systems, the upkeep of deteriorating systems, the high cost of broadcast airtime, and the high cost to upgrade the existing analog satellite system to a small-dish, digital satellite system proved a fiscal impossibility for POST. This led POST staff to create a new, less expensive method of delivery of needed training utilizing the high quality and compact delivery system presented in the Digital Video Disc (DVD). In July 2003, POST transitioned from its monthly broadcast of telecourses via satellite broadcast to a DVD-based delivery system, which gave agencies the opportunity to schedule staff training at their convenience rather than attempting to coordinate training with POST broadcast schedules. The replacement of satellite broadcasts with DVDs distributed via automated direct mail has eliminated the need for Regulation 1020 and any references to Regulation 1020.

POST reimbursement for the purchase of multimedia computers allowed many local law enforcement agencies to obtain the technology needed to use high quality interactive CD-ROM training courses. Over time, the multimedia training systems technology also changed. In 1998, the Commission offered reimbursement for the purchase of new computer-based multimedia training systems that would run new CD-ROM courses in development, and other pertinent training courses. Then, during subsequent lean budget years that precluded POST reimbursement for the new systems, agencies transitioned to automation and computers, which are more commonly available for CD-ROM training. While POST agencies can use existing CD-ROM courses for

training, new POST-developed training will be delivered via the Internet. With the transition from IVD to CD-ROM to Internet delivery of distance training, it is appropriate to remove Regulation 1021 and any references to Regulation 1021.

At its January 20, 2005 meeting, the Commission approved a proposal to amend Regulation 1015, Reimbursements, and to delete Regulations 1020, Reimbursement for Purchase of Satellite Antenna, and 1021, Reimbursement for Purchase of Interactive Multimedia Training Delivery System to remove references to obsolete regulation language.

Text of Proposal, Rulemaking File, and Internet Access

The following information regarding the proposed regulatory action is located on the POST website at www.post.ca.gov/RegulationNotices/RegulationNotices.asp:

- POST bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons.

Anyone who does not have Internet access may request a copy of the above documents by calling 916.227.4847 or by submitting a written request to the contact person listed below. Please refer to POST Bulletin 2005-18. The rulemaking file contains the above-mentioned documents and all information considered for this proposal. The Commission will maintain the file for inspection during the Commission's normal business hours (Monday through Friday, 8 a.m. to 5 p.m.).

The Final Statement of Reasons will be prepared after the close of the public comment period and will appear on the POST website at the address cited above. To request a copy, call the above phone number, or write to the address under **Contact Persons** in this notice.

Public Comment

The Commission hereby requests written comments related to the proposed actions. *Written comments must be received before 5:00 p.m. on December 26, 2005* and may be directed to Executive Director Kenneth J. O'Brien by fax at 917.228.2801 or by U.S. Mail via Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person or his or her duly authorized representative may request that a public hearing be held. The request must be in writing and received by POST no later than 15 days prior to the close of the public comment period.

Contact Persons

Please direct any questions about the proposed text, subject matter, or statement of reasons to Patricia Cassidy at 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by telephone at 916.227.4847, by FAX at 916.227.5271, or via email at Pat.Cassidy@post.ca.gov. The back-up contact person is Paul M. Harman; he may be reached by telephone at 916.227.0539, or via email at Paul.Harman@post.ca.gov.

Estimate of Economic Impact

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-Discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the state of California.

Consideration of Alternatives

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

Adoption of Proposed Regulations

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the clearly indicated text of any modified language will be available, at least 15 days before adoption, to all persons whose comments POST receives during the public comment period and to all persons who request notification from POST of the availability of such changes. Please address a request for the modified text to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text becomes available.